

**RULES
OF
TENNESSEE REGULATORY AUTHORITY
DIVISION OF PUBLIC UTILITIES**

**CHAPTER 1220-4-9
RULES FOR COLLECTING CONTRIBUTIONS FOR THE
SMALL AND MINORITY TELECOMMUNICATIONS BUSINESS ASSISTANCE PROGRAM**

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1220-4-9-.01 CONTRIBUTIONS REQUIRED OF PROVIDERS.

- (1) All Telecommunications Service Providers and all Competing Telecommunications Service Providers (the Providers), as defined by T.C.A. §65-4-101 subsections (c) and (e), shall make contributions to the Small and Minority Telecommunications Business Assistance Program (the Program) established by Section 17 of Chapter 408 of the Public Acts of 1995 (the Act), each in proportion to its share of the total intra-state gross receipts of all Providers for the most recent calendar year.
- (2) For the purposes of this Rule Chapter, the intra-state gross receipts of the Providers shall be those reported on Form UD 16 "Statement of Gross Earnings and Computation of inspection Fee" filed with the Authority on or before April 1 of each year.
- (3) On or before May 15 of each year, the Authority shall calculate a contribution factor to apply to the intra-state gross receipts of each Provider, excepting those making minimum contributions under 1220-4-9-.02, to generate total contributions of two million dollars (\$2,000,000) per year from all Providers including minimum contributions.
- (4) Any over or under collections caused by the use of the contribution factor shall be added to or subtracted from each Provider's contribution to the Program in the succeeding year. Any over collections or under collections for the five-year period (1996-2000) shall be refunded or collected at the end of year five.

Authority: T.C.A. §§65-4-101, 65-4-305, 65-5-213, and Chapter 408 of the Public Acts of 1995, Sec. 17.
Administrative History: Original rule filed September 30, 1996; effective January 28, 1997. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; "Commission" and references to the "Commission" were changed to "Authority" and references to the "Authority"; effective March 28, 2003.

1220-4-9-.02 MINIMUM CONTRIBUTIONS.

- (1) The minimum contribution from any Provider shall be one hundred dollars (\$100) per year.
- (2) No adjustments or refunds pursuant to 1220-4-9-.01(4) shall apply to minimum contributions.

Authority: T.C.A. §65-5-213, and Chapter 408 of the Public Acts of 1995, Sec. 17. **Administrative History:** Original rule filed September 30, 1996; effective January 28, 1997.

1220-4-9-.03 COLLECTION OF CONTRIBUTIONS

- (1) Forms designed by the Authority for the remission of contributions to the Program shall be mailed to each Provider by May 15 of each year. Each Provider shall submit its contribution to the Authority by June 15 of each year.

(Rule 1220-4-9-.03, continued)

- (2) In the year this rule becomes effective, contribution forms shall be mailed by May 15 or 45 days after the effective date of this rule, whichever is later. Contributions shall be submitted to the Authority by June 15 or 90 days after the effective date of this rule, whichever is later.
- (3) Providers failing to submit contributions, or submitting late, may be subject to penalties under T.C.A. §§65-3-119, 65-4-116, and 65-4-120.
- (4) Contributions when collected shall be deposited in the state treasury in the special fund created for the small and minority telecommunications business assistance program.

Authority: T.C.A. §§65-3-119, 65-4-116, 65-5-213, and Chapter 408 of the Public Acts of 1995, Sec. 17. **Administrative History:** Original rule filed September 30, 1996; effective January 28, 1997. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003.

1220-4-9-.04 COMPLIANCE WITH ALTERNATIVE UNIVERSAL SERVICE SUPPORT MECHANISMS.

- (1) Should the Authority establish an alternative Universal Service support mechanism under T.C.A. §65-5-207, or modify any such mechanism, and if the resulting method of collecting contributions to support Universal Service differs from that in this rule chapter, the Authority shall by Order amend the method of collecting contributions under this rule chapter to comply with the method used for the alternative Universal Service support mechanism starting from the next April 1 going forward

Authority: T.C.A. §§65-5-207, 65-5-213, and Chapter 408 of the Public Acts of 1995, Sec. 17. **Administrative History:** Original rule filed September 30, 1996; effective January 28, 1997. Editorial changes made by the Secretary of State pursuant to Public Chapter 305 of 1995; “Commission” and references to the “Commission” were changed to “Authority” and references to the “Authority”; effective March 28, 2003.

1220-4-9-.05 RULE TERMINATION.

- (1) The provisions of this rule shall terminate on June 30, 2001 or five years after its effective date which ever is later.

Authority: T.C.A. §65-5-213, and Chapter 408 of the Public Acts of 1995, Sec. 17. **Administrative History:** Original rule filed September 30, 1996; effective January 28, 1997.